

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

The Court, having reviewed the Report and Recommendation of United States Magistrate Judge James P. Donohue, the governing law, Plaintiff's objections to the Report and Recommendation, Defendants' response to the objections, Plaintiff's reply to the response, and the balance of the record, does hereby find and ORDER:

- (1) The Report and Recommendation is ADOPTED;
- (2) Defendants' motion to dismiss is GRANTED, and this matter is DISMISSED without prejudice for failure to exhaust administrative remedies as required by 42 U.S.C. § 1997e(a);
- (3) Plaintiff's motions for a preliminary injunction and temporary restraining order (Dkt. 18) and to amend his complaint (Dkt. 19) are DENIED as moot; and

1 (4) The Clerk of Court is directed to send copies of this Order to plaintiff and to
2 Magistrate Judge James P. Donohue.

3 DATED this 14th day of June, 2011.

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Marsha J. Pechman
United States District Judge